

## **REMARKS**

### **I. Introduction**

Claims 1-17 are pending and stand rejected. With this amendment, claims 1, 5, and 12 are amended. Claims 1, 5, and 12 are the only independent claims.

### **II. The Rejections**

Claims 1, 3-9, 11-15 and 17 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,802,528 by Oki. Claims 10 and 16 were rejected under 35 U.S.C. §103(a) as being unpatentable over Oki. Claim 2 was rejected under 35 U.S.C. §103(a) as being unpatentable over Oki in view of U.S. Patent No. 6,598,119 to Becker. The rejections as they may apply to the claims presented herein are respectfully traversed.

### **III. The Pending Claims are Allowable**

Amended claim 1 recites receiving a first data set from a first data source and the first data set includes a first number of data records. A second data set is received from a second data source and the second data set has a second number of data records. A first data record in the first data set that is potentially identical to a second data record in the second data set and a similarity level between the first data record and the second data record are determined. The identified first and second data records have an informational content that is non-identical but similar. A determination is made as to whether the first and second data records already identified as potentially identical are truly identical based upon the similarity level, and without reducing the first number of records or the second number of records.

Claim 1 has been amended to recite receiving a first data set from a first data source and that the first data set includes a first number of data records. Claim 1 has also been amended to recite receiving a second data set from a second data source and that the second data set has a second number of data records. Support for these amendments is found, for example, at page 3, lines 18-31 and page 6, line 14 to page 7, line 6 of the specification.

Claim 1 has also been amended to recite determining a similarity level between the first data record and the second data record. This amendment is supported, for example, at page 8, lines 5-6, and page 8, lines 16-17 of the specification.

Claim 1 has been further amended to recite that potentially different data records are identified without reducing the number of records and using the similarity level. This

amendment is supported, for example, at page 9, lines 11-14 of the specification.

In contrast, Oki describes a system for comparing sets of replicated data originating from the same source. In Oki, the same data set is copied to different locations. Oki, col. 1, lines 30-43. Moreover, Oki uses a statistical sampling function to reduce the number of records in the data set that need to be compared. Oki, col. 6, lines 14-33 and Oki, col. 1, lines 36-38.

Oki uses a checksum algorithm and a hash function to perform statistical sampling and the checksum algorithm is applied to the entire data set and not to individual records in the data set. Moreover, the checksum does not determine a level or degree of similarity between data sets (or any element in the data sets) but rather whether the two data sets are exactly identical or not exactly identical. See Oki, col. 6, lines 14-33.

Consequently, Oki does not teach or suggest receiving data from two different data sources as recited in claim 1. To the contrary, Oki teaches copying the exact same data set from the same source, i.e., the exact same data set from the same source is copied to different locations. Oki also does not teach or suggest retaining the same number of data records when processing data sets as recited in claim 1. To the contrary, Oki teaches reducing the number of data records using statistical sampling approaches. Additionally, Oki does not teach or suggest identifying a first data record in the first data set that is potentially identical to a second data record in the second data set as recited in claim 1. To the contrary, Oki uses statistical sampling approaches that determine whether an entire data set is identical to another data set. Further, Oki does not teach or suggest determining a similarity level between records and using this result to determine whether records are truly different as recited in claim 1. To the contrary, Oki teaches the use of statistical sampling approaches (i.e., a checksum algorithm) that can only determine whether a data set is exactly identical to another data set; similarity levels or degrees are never determined much less used in the Oki system.

Since at least one element of claim 1 is not taught or suggested by Oki, it is submitted that claim 1 is not anticipated by Oki. Claims 5 and 12 have been amended in a similar manner to claim 1 and it is submitted that these claims are not anticipated by Oki. Claim 3-9, 11, 13-15 and 17 depend directly or indirectly upon claims 1, 5, or 12. Since independent claims 1, 5, and 12 are not anticipated by Oki, the dependent claims are also not anticipated by Oki.

Claim 2 was rejected as being obvious over Oki. Claim 2 depends upon claim 1. Since Oki does not teach or suggest at least one element of claim 1, it is submitted that claim 2 is allowable over Oki because of its dependence on claim 1.

Claims 10 and 16 were rejected as being unpatentable over Oki and Becker. Oki has

been described above and Becker does not remedy the deficiencies of Oki. More specifically Becker teaches a data management system that includes a multiple level cache arrangement with a primary cache and a secondary cache. See Becker, Abstract. Becker does not teach or suggest receiving data from two distinct sources as recited in claims 10 and 16. To the contrary, Becker receives data from a single source. Additionally, Becker is completely silent as to identifying similar or dissimilar data elements. Since at least one element of claims 10 and 16 is not taught by the references, it is submitted that these claims are allowable over the proposed combination.

#### IV. Conclusion

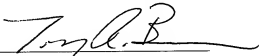
The Commissioner is hereby authorized to charge any additional fees which may be required in this application to Deposit Account No. 06-1135.

Respectfully submitted,

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